

Appln. No. 10/003,789
Amendment dated March 1, 2005
Reply to Office Action of December 1, 2005
Docket No. BOC9-2001-0037 (280)

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of December 1, 2005 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due.

In the Office Action, Claims 1 – 7 and 9 – 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0118808 to Kelleher, *et al.* (hereinafter "Kelleher") in view of U.S. Patent No. 6,792,092 to Michalewicz (hereinafter "Michalewicz"). Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kelleher in view of Michalewicz and further in view of U.S. Patent No. 6,765,931 to Rabenko, *et al.* (hereinafter "Rabenko").

Applicants have amended claims 1, 6, and 9 to emphasize certain aspects of Applicants' invention. Claims 4, 7, and 11 have each been cancelled. The claim amendments, as discussed herein, are fully supported throughout the Specification. (See, e.g., Specification, p. 6, lines 2-5 and lines 16-22; p. 7, line 17 – p. 8, line 20; and p. 9, line 11 – p. 10, line 17.) No new matter has been introduced by the claim amendments.

Applicants' Invention

It may be helpful at this juncture to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, typified by Claim 1, as amended, is a method of call conferencing using a voice browser. The method can include establishing a voice browsing session between a calling party and the voice browser, the voice browser being provided at a voice server that interfaces with a telephony network via a gateway. The method also can include establishing a conference so as to add to the conference at least one additional party, each of whom is added to the voice browsing session using an application level component. The established conference, moreover, can provide a voice communications link between the calling party and one or more additional parties via the telephony network.

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The method further can include dynamically coordinating voice data streams between the calling party and at least one additional party using a voice data stream manager. In particular, the voice data streams can be aggregated into a single voice data stream. (See, e.g., Specification, p. 6, lines 2-5 and p. 9, line 11 – p. 10, line 17.) Accordingly, the single, aggregated voice data stream can be conveyed to the voice browser or a voice browser application for process. (See, e.g., Specification, p. 6, lines 18-22 and p. 8, lines 10-20.)

The Claims, As Amended, Define Over The Prior Art

As already noted, independent Claims 1, 6, and 9 were deemed upatentable over Kelleher in view of Michalewicz. Kelleher is directed to a call conferencing system for connecting a group of users into a conference call. (See paragraph 0006, at page 1; see also Abstract.) Michalewicz is directed to a method and system for providing each of the participants to a multiparty communication session independent control over the strengths of audio signals conveyed among the participants. (See Col. 1, lines 39-63.)

Applicants respectfully maintain that Kelleher and Michalewicz, even when combined, fail to teach or suggest every aspect of Applicants' invention. For example, the combination of Kelleher and Michalewicz fails to teach or suggest any mechanism for adding an additional caller to a voice browsing session established between an initial caller and the voice browser, as recited in each of independent Claims 1, 6, and 9, as amended. Accordingly, the references, even when combined, fail to provide a mechanism by which audio from various conference calls can be aggregated into a single voice data stream specifically directed to a voice browser or voice browser application. (See, e.g., Specification, p. 6, lines 16-22.)

At page 3 of the Office Action, it is stated that "Michalewicz teaches [using] adaptive summers [that] aggregate voice data streams between [a] calling party and at least one additional party to output streams for participants to a conference call." In the

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portion of the reference cited in the Office Action, Michalewicz describes the specific application of the "adaptive summers:"

"The adaptive summers 58 include a plurality of summers or other suitable signal processing resources each operable to sum, add or otherwise combine a plurality of input streams based on dynamic parameters into conference output streams for participants to a conference call. Once the adaptive summers 58 have generated the conference output streams, each conference output stream is converted by a corresponding converter and buffered by a corresponding output buffer for transmission to the corresponding participant." (Col. 6, lines 11-21.) (emphasis supplied.)

As the above-quoted language reveals, Michalewicz generates not a single output stream, but multiple streams for each conference participant. These audio streams, as elsewhere described, can be derived from standard analogy telephony signals that have been converted to a digital format, but in any event are only related to the effecting of a standard conference call. (See, e.g., Col. 3, lines 22-47; see also Col. 4, lines 11-35.) Michalewicz's multi-participant audio streams have nothing to do with a voice browser, voice browser server, or voice browser application. Indeed, nowhere in Michalewicz is there even a mention of a voice browser. It follows that Michalewicz, regardless of the use of adaptive summers, provides no mechanism for adding multiple parties into the same voice browsing session, as recited in each of the amended independent claims.

At page 4 of the Office Action, however, it is stated that "Kelleher teaches [the] sending [of a] single voice data stream to [a] voice browser/voice server." Kelleher's use of a voice browser, however, must properly be read in the context of

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the Kelleher system. Kelleher makes no mention of adding multiple parties into a single voice browsing session.

Instead, Kelleher's focus is exclusively on establishing a conference call. Kelleher nowhere even suggests that multiple parties, while connected via a conference call, also interact in a single voice browser session, as recited in each of the amended independent claims. When read in the context of the overall system, Kelleher's described use of a voice browser reveals that the voice browser is only an interface by which a conference call initiator provides voice input for connecting up users of a defined group in a single conference call. Nowhere, however, does Kelleher even suggest that, apart from the conference call, the multiple parties participate jointly in a voice browser session. This point is made explicit in a reading of the portion of the Kelleher reference cited in the Office Action in its entirety:

"To operate the conference system 22, an initializing user 20a invokes the user interface 32 via a user interface device 36, such as a telephone or a computer, and enters an initializing signal, such as a user identification (ID) and password, which are used to validate the user 20a and provide access to the user's predefined user groups. The data entry mode of the user ID, password and command entries depend upon the type of user interface device 36 used by the user 20a, whether voice, graphic or data. For example, when using a voice-type user interface device 32, such as a mobile phone, the initializing user 20a dials their own phone number, for example, by pressing the voice mail key on the phone. After a voice browser 53 answers the phone, the initializing user 20a issues a voice command, saying for example, "dcode," at which the voice server 55 routes the user 20a to the web portal server 28. Once the initializing user 20a is on the web portal

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server 28, a voice announcement is played that says "You're on dkode mobile. If you're ready to blast, say blast, if not say quit it to exit or goodbye to get out". The initializing user 20a then says another command to start the conference call process, for example, "Blast", at which the web portal server 28 responds with "Blast which group?" The initializing user 20a then says the name of one of their groups 40, for example, "party line" to initiate a conference call to a user group called "party line," or by saying for example, "call the band" to initiate a conference call to a user group called the "the band." The user interface 32 may also play various error messages including one that lists the names of the groups 40 if the user 20a says a name that is not in the web portal database 44. Once a group name is recognized, the user interface 32 responds with "Blasting, please hang up now" and then effects the conference call. The user 20a can also initiate the conference call by a data command on a data entry based user interface device 36, such as a mobile web browser, by entering the correct data in the data fields; or by a graphic command on a user interface device 36, such as a desktop computer, into a GUI accessed through the web portal 24, for example, by clicking a mouse on an icon such as a blast icon, or an individualized icon such as the aforementioned "party line," or by dragging a group icon into a virtual telephone booth graphical image. In the GUI version, the GUI may provide a sequence of visual screens to represent the initialization and performance of the conference call." (paragraph 17, at p. 2.)

In the entire reference, Kelleher only twice refers to a voice browser. As the above-quoted language reveals, Kelleher's voice browser serves only one function, specifically, providing a voice-based interface through which an initializing user issues

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voice commands for establishing a conference call. Nowhere, however, is a voice browser session involving multiple parties suggested in Kelleher. Indeed, Kelleher provides no mechanism by which multiple parties, apart from their participation in a conference call, also participate jointly in a voice browser session, as recited in each of the independent claims, as amended.

Accordingly, Kelleher and Michalewicz, alone and in combination, fail to teach or suggest every feature recited in independent Claims 1, 6, and 9, as amended. Applicants respectfully submit, therefore, that each of the independent claims defines over the prior art. Applicants further respectfully submit that, whereas each of the remaining dependent claims depends from one of amended independent Claims 1, 6, and 9 while also reciting additional features, each of the dependent claims likewise defines over the prior art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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